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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,693	08/28/2001	Masahiko Yamada	Q65985	4453

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EXAMINER
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ALAVI, AMIR

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 06/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/939,693	<b>Applicant(s)</b> YAMADA, MASAHIKO	
	<b>Examiner</b> Amir Alavi	<b>Art Unit</b> 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11, 13 and 15-19 is/are rejected.
- 7) ☒ Claim(s) 5, 12 and 14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **Response to Arguments**

- Applicant's arguments with respect to claims 5, 12 and 14 have been considered but are moot in view of the new ground(s) of rejection.
- In view of the changes made by the Applicant, objection to claims 13-14 and 35 U.S.C. 101, rejections of claims 15-19, have been withdrawn.
- Regarding claims 1-2, 6-7, 9-10,13 and 15-16, Examiner considers the cited prior art, namely, Asai et al. (USPN 5,841,935), to reasonably address its limitations. Applicant is reminded that Examiner will interpret each claim in the broadest reasonable sense, as such, the claims and only the claims form the metes and bounds of the invention.

## **Claim Rejections - 35 USC § 102**

- The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- Claims 1-2, 6-7, 9-10,13 and 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Asai et al. (USPN 5,841,935).

Regarding claim 1, Asai et al., disclose, adding new compression information regarding new compression processing to the compression information in the case where the compression information has already been added to the image data (Please note, column 3, lines 34-57. As indicated adding means for adding the color frame information extracted by the extracting means to the video signal compressed and coded by the coding means. In this regard, Examiner considers this color frame information

to correspond to Applicant's new compression information, because as indicated correspondence information shows the correspondence relation between the color frame information extracted by the extracting means and compression information, which is needed in compression coding by the coding means, to control the coding of the coding means based on the correspondence information according to the compression information which is corresponding to the color frame information outputted from the extracting means).

Regarding claim 2, Asai et al., disclose, controlling a degree of compression of the image data based on the compression information when the image data having the compression information are compressed (Please note, column 3, lines 34-57. As indicated adding means for adding the color frame information extracted by the extracting means to the video signal compressed and coded by the coding means. In this regard, Examiner considers this color frame information to correspond to Applicant's new compression information, because as indicated correspondence information shows the correspondence relation between the color frame information extracted by the extracting means and compression information, which is needed in compression coding by the coding means, to control the coding of the coding means based on the correspondence information

according to the compression information which is corresponding to the color frame information outputted from the extracting means).

Regarding claims 6-7, arguments analogous to those presented for claims 1-2, respectively, are applicable.

Regarding claim 9-10 and 13, Asai et al., disclose, decompression means for decompressing the compressed image data, based on the compression information added to the compressed image data (Please note, figure 2, in correlation to column 6, lines 15-25. As indicated the sequence information is outputted to the reproduced image data in the form of color frame information in the video index, this reproducing being indicative of a decompression state).

Regarding claims 15-16, arguments analogous to those presented for claims 1-2, respectively, are applicable.

- Claims 5,12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Suzuki (USPN 5,517,246).

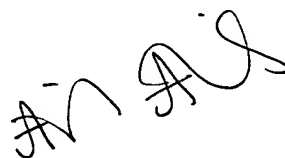
Regarding claims 5,12 and 14, Suzuki discloses: displaying the compression information together with an image represented by the decompressed image data (please note, Please note, column 7, lines 1-14. As indicated the reproducer 12 reproduces the moving picture information transferred from the decompressor 10 and the reproduced picture is displayed on a CRT display and the like).

### **Allowable Subject Matter**

- Claims 3-4,8,11 and 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
- The following is a statement of reasons for the indication of allowable subject matter: None of the prior art disclose or fairly suggest wherein, judging, from the compression information already added to the image data and the newly added compression information, a degree of quality degradation of the image data after the compression and issuing a warning in the case where the degree of quality degradation reaches a predetermined level or higher.

## Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amir Alavi whose telephone number is 571-272-7386.
- The examiner can normally be reached on Mon-Thu.. 8:00 am thru 6:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Bhavesh Mehta can be reached on 571-272-7453.
- The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.
- For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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